

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Wassim Abedrabbo	Team: Squad #12	CCRB Case #: 201700625	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 01/23/2017 6:00 AM	Location of Incident: Inside of § 87(2)(b)	Precinct: 113	18 Mo. SOL 7/23/2018	EO SOL 7/23/2018	
Date/Time CV Reported Wed, 01/25/2017 12:54 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Wed, 01/25/2017 12:54 PM		
<b>Complainant/Victim</b>	<b>Type</b>	<b>Home Address</b>			
<b>Witness(es)</b>	<b>Home Address</b>				
<b>Subject Officer(s)</b>	<b>Shield</b>	<b>TaxID</b>	<b>Command</b>		
1. SGT Peter Ahn	14179	948594	113 PCT		
<b>Witness Officer(s)</b>	<b>Shield No</b>	<b>Tax No</b>	<b>Cmd Name</b>		
1. POM Thomas Skobla	21699	945316	113 PCT		
2. POM Yevgeniy Zaytsev	12848	949825	113 PCT		
<b>Officer(s)</b>	<b>Allegation</b>			<b>Investigator Recommendation</b>	
A.SGT Peter Ahn	Discourtesy: Sergeant Peter Ahn spoke discourteously to § 87(2)(b)				
B.SGT Peter Ahn	Force: Sergeant Peter Ahn used physical force against § 87(2)(b)				

### Case Summary

On January 25, 2017, § 87(2)(b) filed this complaint via the CCRB's online complaint system.

On January 23, 2017, at approximately 6:00 p.m., Sergeant Peter Ahn, Police Officer Thomas Skobla, and Police Officer Yevgeniy Zaytsev responded to a radio run regarding a family dispute at § 87(2)(b) in Queens.

Upon arriving at the location and being given permission to enter by § 87(2)(b) the mother of § 87(2)(b) the officers saw § 87(2)(b) lying on her bed in her bedroom with the lights off. Moments later, Sgt. Ahn placed a handcuff on § 87(2)(b)'s left wrist, which caused her to begin having a panic attack. EMT § 87(2)(b) told Sgt. Ahn that he "should" give § 87(2)(b) a "minute" so that she could overcome the panic attack.

Approximately 20 seconds later, Sgt. Ahn "climbed on to the bed," stood behind § 87(2)(b) and he allegedly said, "I had enough of this shit" (**Allegation A**). Sgt. Ahn then placed one of his knees between § 87(2)(b)'s shoulder blades at the top center of her back and he pushed forward while simultaneously pulling the center chain of the handcuffs to get § 87(2)(b) to stand up off of the bed (**Allegation B**).

§ 87(2)(b) was then walked to a wheel chair located in the apartment, and taken to an ambulance located outside of § 87(2)(b). § 87(2)(b) was transported to § 87(2)(b).

This case went passed the 90 day benchmark due to attempts to identify, locate, and interview the EMTs.

### Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of July 11, 2017, the Notice of Claim inquiry with the NYC Comptroller's Office is still pending.
- § 87(2)(b)

### Civilian and Officer CCRB Histories

- This is the first CCRB complaint filed by § 87(2)(b) (Board Review 02).
- This is the second CCRB complaint filed against Sergeant Peter Ahn, who has a total of three allegations in his CCRB history and who has been a member of service for seven years (see officer history). Of the three allegations previously made against Sgt. Ahn, a threat of arrest allegation was substantiated in CCRB case 201607604; for which the Board recommended formalized training and the NYPD disposition is still pending. § 87(2)(g)

### Findings and Recommendations

**Allegation A –Discourtesy: Sergeant Peter Ahn spoke discourteously to § 87(2)(b)**

**Allegation B –Force: Sergeant Peter Ahn used physical force against § 87(2)(b)**

It is undisputed that § 87(2)(b) called 9-1-1 after engaging in a dispute with her daughter, § 87(2)(b). It is undisputed that upon arriving at the location, the officers spoke with § 87(2)(b). It is also undisputed that when Sgt. Ahn and the other officers first made contact with § 87(2)(b) she was lying down on her bed.

§ 87(2)(b) stated that on the evening of January 23, 2017, she and § 87(2)(b) had a verbal dispute that caused to § 87(2)(b) to call 9-1-1 (Board Review 04). While in her bedroom after the dispute, § 87(2)(b) heard a single knock on her door; after which, Sgt. Ahn, a second officer, and two EMTs immediately entered. After entering, Sgt. Ahn instructed § 87(2)(b) to sit up so that they may speak. § 87(2)(b) sat up.

§ 87(2)(b) added that while speaking to Sgt. Ahn, whose name she read on his uniform, he placed a handcuff around her left wrist without telling her in advance. At that moment, § 87(2)(b) began having a panic attack and she said as much. Sgt. Ahn continued to handcuff § 87(2)(b) and he placed the second handcuff on her right wrist. EMT § 87(2)(b) then told Sgt. Ahn that he should give § 87(2)(b) a “minute” to deal with the panic attack symptoms she was experiencing.

§ 87(2)(b) also stated, that after waiting 20 seconds Sgt. Ahn said, “I had enough of this shit.” He “climbed” onto § 87(2)(b)’s bed and he forced her to stand by placing his knee into her back and pulling the chain link of the handcuffs. She was then removed from the home without being told why she was being removed or where she was being taken.

During a phone statement, § 87(2)(b) stated that during the dispute between her and § 87(2)(b), § 87(2)(b) threw a glass vase against a wall which shattered; so she called 9-1-1 because she wanted § 87(2)(b) to be taken to the hospital and treated for the emotional “episode” she was having (Board Review 05). When the officers arrived at her apartment, § 87(2)(b) informed them what occurred between her and her daughter. She gave the officers the key to § 87(2)(b)’s bedroom because § 87(2)(b) locked herself in there. § 87(2)(b) did not enter § 87(2)(b)’s room with the officers and she was unable to hear everything that was said inside of the room. She did hear § 87(2)(b) make statements to the effect of the officers “treating her badly” and that § 87(2)(b) did not want to go with the officers. She did not recall hearing § 87(2)(b) exclaim that she was having a panic attack. After § 87(2)(b) was released from § 87(2)(b), she told § 87(2)(b) that she was put on her stomach by an officer who placed their knee into her back while doing so. § 87(2)(b) did not know which officer did the alleged action.

During his CCRB statement Sgt. Ahn stated that upon arriving and speaking to § 87(2)(b) informed the officers that she and § 87(2)(b) got into a verbal dispute that ultimately led to § 87(2)(b) acting in a violent manner by throwing a glass that shattered (Board Review 06). Sgt. Ahn attempted to convince § 87(2)(b) to open the door of her bedroom through the door, but she was verbally expressing that she would not do so. § 87(2)(b) provided the officers with a key to § 87(2)(b)’s bedroom.

Sgt. Ahn stated that upon entering § 87(2)(b)’s bedroom, § 87(2)(b) was lying on her bed and there was a glass cup next to her on the bed. Sgt. Ahn instructed § 87(2)(b) to stand up, but she did not comply. It was PO Zaytsev who stepped over § 87(2)(b) and onto her bed to remove the glass cup for the officers’ safety. While PO Zaytsev was still on the bed, PO Zaytsev, Sgt. Ahn, and PO Skobla began to place § 87(2)(b) into handcuffs. Sgt. Ahn did not recall in which position § 87(2)(b) was in while lying on the bed; however, he stated that she was not lying on her back.

Sgt. Ahn stated that § 87(2)(b) needed assistance to sit up on her bed because she had already been placed in handcuffs before she sat up. Sgt. Ahn, PO Zaytsev, and PO Skobla assisted her by holding and providing support at her right and left upper arm, but Sgt. Ahn did not recall where each officer made contact with § 87(2)(b) specifically. Sgt. Ahn did not recall if § 87(2)(b) needed assistance to stand onto her feet after sitting up in her bed or how she ultimately stood up. He did not recall seeing PO Zaytsev place his knee into § 87(2)(b)’s back and pull the chain link of the handcuffs to force her to stand. He did not do so himself.

Sgt. Ahn did not say, “I had enough of this shit.” He did not use profanity at any point during the incident. He did not hear any other officer make the aforementioned statement.

PO Zaytsev stated that he did not recall stepping onto § 87(2)(b)’s bed while in her bedroom (Board Review 07). He did not recall seeing any other officer do so. PO Zaytsev assisted in the handcuffing of § 87(2)(b) but he did not recall how he did so. PO Zaytsev did not place his knee into § 87(2)(b)’s back and he did not see any other officer do so. PO Zaytsev did not hear Sgt. Ahn or any other officer use profanity or say, “I had enough of this shit.”

PO Skobla stated that § 87(2)(b) did not need any assistance to sit up in her bed or to stand up on her feet off of her bed (Board Review 08). The officers “did not do anything” to get § 87(2)(b) to stand up off of her bed. Neither PO Skobla nor any other officer made physical contact with § 87(2)(b) until after she independently got off of her bed. PO Skobla did not hear Sgt. Ahn or any other officer use profanity or say, “I had enough of this shit.”

§ 87(2)(b) was not compliant with several subpoenas to interview the EMTs who responded.

According to the medical records obtained from § 87(2)(b), § 87(2)(b) was admitted into the hospital’s psychiatric ward and then released on January 24, 2017 (see privileged documents). The medical records did not reflect any statements made by § 87(2)(b) regarding force being used against her during the incident. Page 34 of the medical records note that a “skin screening” was done and as a result only handcuff markings were seen.

§ 87(2)(g)

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Squad: 12

Investigator: \_\_\_\_\_  
Signature Print Date

Squad Leader: \_\_\_\_\_  
Title/Signature Print Date